

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 2/26/08

UNITED STATES OF AMERICA

-v.-

Cherdale Benjamin,
a/k/a CHERDELLE BENJAMIN,
a/k/a "Cherdelle Cokley,"
a/k/a "Cherdale Lokley,"

Defendant.

ORDER OF FORFEITURE

07 Cr. 467 (RMB)

WHEREAS, on or about May 24, 2007, CHERDELLE BENJAMIN, a/k/a "Cherdelle Cokley," a/k/a "Cherdale Lokley," (the "Defendant"), was charged in a one-count Indictment 07 Cr. 467 (RMB) (the "Indictment") with fraudulently receiving federal housing subsidies and federal disability benefits to which she was not entitled, in violation of 18 U.S.C. § 641;

WHEREAS, the Indictment included a forfeiture allegation seeking, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, any property, real or personal, that constitutes or is derived from proceeds traceable to the federal program fraud offense, including, but not limited to a sum of money in the amount of at least \$82,702 in United States currency;

WHEREAS, on or about July 18, 2007, the defendant CHERDELLE BENJAMIN pled guilty to the Indictment;

WHEREAS, on or about February 26, 2008, the defendant was sentenced and ordered to a forfeiture money judgment in the

~~\$1,000.00~~ (one thousand)
amount of ~~\$82,702~~ in United States Currency, representing the same
amount of proceeds obtained as a result of the offense charged in
the Indictment; and

RMB

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED
THAT:

1. As a result of the offense charged in the
Indictment, for which the defendant pled guilty, a money judgment
in the amount of ~~\$82,702~~ shall be entered against the defendant.

RMB

2. Pursuant to Rule 32.2(b)(3) of the Federal Rules
of Criminal Procedure, this Order of Forfeiture shall be final as
to the defendant, CHERDELLE BENJAMIN, at the time of sentencing
and shall be made part of the sentence of the defendant, and
shall be included in the judgment of conviction therewith.

3. Pursuant to Rule 32.2(b)(3) of the Federal Rules
of Criminal Procedure, upon entry of this Order of Forfeiture the
United States Attorney's Office is authorized to conduct any
discovery needed to identify, locate or dispose of the property,
including depositions, interrogatories, requests for production
of documents and the issuance of subpoenas, pursuant to Rule 45
of the Federal Rules of Civil Procedure. *Provided, however, that there shall be no such forfeiture until the restitution is paid in full.*

RMB

4. All payments on the outstanding money judgment
shall be made by postal money order, bank or certified check,
made payable, in this instance to the "United States Marshals
Service", and delivered by mail to the United States Attorney's

Office, Southern District of New York, Attn: Asset Forfeiture Unit, One St. Andrews Plaza, New York, New York 10007.

5. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Fed. R. Crim. P. 32.2(e).

6. The Clerk of the Court shall forward three certified copies of this Order to Assistant United States Attorney, Sharon Cohen Levin, One St. Andrew's Plaza, New York, New York 10007.

Dated: New York, New York
February 26, 2008

SO ORDERED:

RMB

HONORABLE RICHARD M. BERMAN
UNITED STATES DISTRICT JUDGE